

REMARKS

Claims 1-9, 11-13, 16-18 and 20 were presented for examination and were pending in this application. In a Final Office Action dated June 13, 2003, claims 1-9, 11-13, 16-18 and 20 were rejected. Claims 1-9, 11-13, 16-18 and 20 are cancelled in this amendment, and new claims 21-42 are added. Applicants now request consideration and allowance of claims 21-42.

Neither Network World I, nor Network World II teach a method as claimed in new, independent claim 21. Claim 21 recites a "method for settlement of charges for network connections services, comprising: receiving, *from a local service provider*, accounting records of connection service usage of the local service provider's network, operated independently from a home service provider's network, by a user belonging *to a home service provider*, said user connecting from the local service provider's network." Network World I is quoted below in its entirety:

UUNET Technologies, Inc. today plans to announce a global roaming service for mobile users of its AlterDial Internet access service in the U.S. Beginning May 31, users will be able to dial a local number in nine other countries and access the UUNET backbone just as they would in the U.S., with charges integrated into their regular bill. UUNET plans to bring up another eight countries at the end of June.

Network World I does not disclose or teach a settlement system at all, let alone one between a local and home service provider. Instead Network World I merely discloses a system where UUNET, the home service provider, is establishing points of presence in other countries by providing local access numbers. This is different from the claimed method, because a UUNET user does not access the UUNET network through a service provider local to the country in which he is traveling. For example, a UUNET user in China does not access UUNET through a Chinese Internet Service Provider such as NTT. Rather, the UUNET user dials in to a local telephone number that connects to UUNET's backbone. There is no mention or suggestion here that UUNET has any relationship with a local service provider.

It follows that Network World I does not disclose a settlement system that settles charges between the local service provider, e.g. NTT, and a home service provider, e.g. UUNET. Network World I discloses a systems where UUNET, the home service provider, performs all billing activities. For the foregoing reasons, Network World I does not teach or disclose the method recited in claim 21.

Network World II adds nothing to this analysis. Network World II reiterates the very same information disclosed in Network World I regarding UUNET. Network World II also discloses a system operated by PSINet. PSINet provides service in foreign countries where PSINet has established a PSINet point of presence. Alternatively, PSINet customers may use toll free number to dial PSINet's central server directly. Neither of these approaches teaches using a local service provider to access the home service provider via the Internet. Rather, these methods involve connecting *directly* to PSINet or UUNET via local numbers set up for such purpose. For this reason, Network World II does not disclose the method recited in claim 21.

Moreover, Network World II does not disclose a settlement system at all. Claim 21 describes a settlement system. None of the elements of claim 21 are taught by Network World II or for that matter, Network World I either. For the foregoing reasons, the method of claim 21 is not taught or disclosed by Network World I, Network World II or a combination thereof.

CONCLUSION

Applicants respectfully submit that claims 21-42, as presented herein, are patentably distinguishable over the cited references (including references cited, but not applied). Therefore, Applicants request reconsideration and allowance of these claims.

Applicants invite Examiner to contact Applicants' representative at the number provided below if Examiner believes it will help expedite furtherance of this application.

RESPECTFULLY SUBMITTED,
Lynn Y. Liu, Xiaomei Guan, Michael
Hayden, David Ling

Date: September 12, 2003

By: 

David D. Schumann
Registration No. 53,569
FENWICK & WEST LLP
801 California Street
Mountain View, CA 94041
Phone: (650) 335-7189
Fax: (650) 938-5200

20578/08080/DOCS/1363462.2